

NEW JERSEY
CEMETERY BOARD
JAN 10 2002

"CERTIFIED TRUE COPY"

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY

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State of New Jersey
Department of Law and Public Safety
Division of Consumer Affairs
Cemetery Board

IN THE MATTER OF

GLENDOLA CEMETERY

Certificate of Authority
Number 125

:
:
: Administrative Action
:
: FINAL ORDER OF
: DISCIPLINE
:
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:

This matter was opened to the New Jersey Cemetery Board following review of information in the Board's files which resulted in the issuance of a Provisional Order of Discipline regarding Glendola Cemetery's failure to file reports and to provide proof of payments into the Maintenance and Preservation Fund. Glendola Cemetery responded to the Provisional Order by filing delinquent reports and asking that the Board consider the cemetery's financial resources in assessing a penalty. The Board has reviewed the cemetery's submission and now makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Respondent, Glendola Cemetery, has held Certificate of Authority Number 125 issued by the Cemetery Board on August 23, 1972 pursuant to N.J.S.A. 8A:3-9. Respondent has been a New Jersey Cemetery Company at all times relevant to this matter and is not a municipality.

2. Pursuant to N.J.S.A. 8A: 4-5, cemetery companies must make certain deposits into the Cemetery's Maintenance and Preservation Fund based on income generated by sales of lots or graves, and deposits based on resales of lots or graves, number of interments, and size of foundations installed.

3. Pursuant to N.J.S.A. 8A:4-12, each cemetery company that is not a municipality must file an annual report with the Board showing the extent and augmentation of the Maintenance and Preservation Fund for its fiscal year not later than 120 days after the close of its fiscal year.

4. A review of the Board's files demonstrates that as of the date of the Provisional Order of Discipline, the last annual Maintenance and Preservation Fund report was filed on March 17, 1994 for fiscal year 1993.

5. Glendola Cemetery has now filed all delinquent Maintenance and Preservation reports and has supplied proof of all deposits.

CONCLUSIONS OF LAW

The failure to file an annual reports with the New Jersey Cemetery Board and/or the failure to deposit statutorily required sums into the Maintenance and Preservation Fund provide grounds for discipline pursuant to N.J.S.A. 45:1-21 (h). Respondent has now filed the required reports and has, through its submission, persuaded the Board that the penalty proposed by the Provisional Order of Discipline would pose a hardship to the cemetery in light of its limited income. As such, the Board will modify the penalty to \$100.00.

ACCORDINGLY, IT IS ON THIS 10th DAY OF January, 2002,

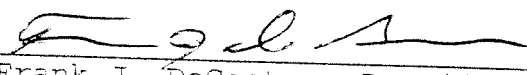
ORDERED that:

1. Glendola Cemetery shall cease and desist from failing to file its annual Maintenance and Preservation Fund report within 120 days of the close of its fiscal year and from failing to make all statutorily required deposits into the Maintenance and Preservation Fund.

2. Glendola Cemetery shall pay a civil penalty of \$100.00, by certified check or money order payable to the State of New Jersey

and forwarded to Susan H. Gartland, Executive Director, New Jersey
Cemetery Board, P.O. Box 45036, Newark, New Jersey, 07101.

NEW JERSEY STATE CEMETERY BOARD

By: 
Frank J. DeGeeter, President

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OFFICIAL CHECK

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Remitter Glenisla Cemetery

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Date FEB 04, 02

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PAY

TO THE ORDER OF

*****100*DOLLARS*AND*00*CENT

Asen. Inc.***

Drawer: Fleet Bank

[Signature]
SIGNATURE

Issued By Integrated Payment Systems Inc., Englewood, Colorado.
Bank One Colorado N.A., Denver, Colorado.

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CA # 125

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